

United States District Court
Northern District of New York

NICOLETTE KATHERINE MCINTOSH,
Plaintiff,

Case 1:23-cv-01140-TWD

v.

MARTIN O'MALLEY,
Commissioner of Social Security
Defendant.

Stipulation and Order for Remand

The parties stipulate that the Commissioner's final decision be reversed and that this action be remanded to the Commissioner for further administrative proceedings pursuant to the fourth sentence of 42 U.S.C. § 405(g). On remand, the Appeals Council will direct the Administrative Law Judge to offer Plaintiff the opportunity for a hearing, and issue a new decision.

The parties consent to the entry of judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

Respectfully Submitted,

MARTIN O'MALLEY,

By His Attorneys,

Carla B. Freedman,
United States Attorney

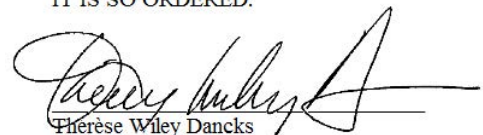
/s/ Kathryn Pollack
Kathryn Pollack
Special Assistant United States Attorney
Office of Program Litigation, Office 2
Office of the General Counsel
Social Security Administration
6401 Security Boulevard
Baltimore, MD 21235
(212) 264-2331
Email: kathryn.pollack@ssa.gov

PLAINTIFF,

By Her Attorney,

/s/ Craig Polhemus
Craig Polhemus
Avar Law
PO Box 101110
Cape Coral, FL 33910
(239) 945-0808
Email: cpolhemus@avardlaw.com

IT IS SO ORDERED:


Therese Wiley Dancks
U.S. Magistrate Judge

Dated: 2/29/2024